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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,163	08/07/2001	Thane M. Larson	10012383-1	1476
22879	7590	08/31/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			VO, TIM T	
			ART UNIT	PAPER NUMBER
			2112	

DATE MAILED: 08/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/924,163	Applicant(s) LARSON ET AL.	
	Examiner Tim T. Vo	Art Unit 2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Part III DETAILED ACTION

Notice to Applicant(s)

This application has been examined. Claims 1-19 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 1-3, 6-9, 12-15 and 18-19 are rejected under 35 U.S.C. § **102(e)** as being anticipated by Chen et al. patent number 6,591,324 referred hereinafter "Chen".

2. As for claims 1, 8, 14, Chen teaches a server system comprising:

a plurality of printed circuit assemblies including a plurality of host processor cards (see figure 2, plurality of printed circuit cards 104 are host processor cards); a management card coupled to the plurality of printed circuit assemblies (see figure 2, processor card 105), the management card dedicated to monitoring and managing operation of the server system (see column 4 lines 54-56, wherein processor card 105 monitors the health of the first processor card 105 and if the first processor card 105 fails thereby can't manage operation of the server system the second processor 105 will

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take over the control and continue operation on the server as disclose in column 4 lines 57-68), including monitoring and managing on-line insertion and removing of the printed circuit assemblies (see figure 2 second processor card 105, and column 3 lines 24-67, wherein each processor card 105 has the same functions to support the hot plugging task, for example, each of the processor card 105 has the power switching circuitry 122, signal switching circuitry 128 to be able to support hot plugging features such as monitoring cards 104 signal and would be able to control power of each cards 104).

3. As for claims 2, 9 and 15, Chen teaches the management card includes a management processor and a LAN switch, the LAN switch coupled to management connections of the at least one host processor card, and management connections of the management processor (see figure 2, second processor card 105 and column 4 lines 30-38 and column 3 lines 45-55, wherein the second processor 105 has the power switching 122, signal switching circuitry 128 to control networking (LAN) connection).

As for claim 3, Chen teaches a backplane for connecting the plurality of printed circuit assemblies to the management card (see figure 2, backplane 102 and column 3 lines 30-33).

4. As for claims 6-7, 12-13 and 18-19, Chen teaches providing status information on the management card (see column 4 lines 50-56).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 10 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen.

6. As for claims 4, 10 and 16, Chen does not expressly teach I2C bus. "Official Notice" is taken that both concept and the advantages for utilizing I2C bus in the computer system is well known and expected in the art. It would have been obvious to utilize the I2C in Chen's system to connect integrated circuits for communication because the I2C is simple and efficient means of data exchange between devices.

7. Claims 5, 11 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of Bassman et al. patent number 6,295,567 referred hereinafter "Bassman".

8. As for claims 5, 11 and 17, Chen does not expressly teach cooling fan, temperature sensor and controlling the fan speed. However, Bassman teaches such features cooling fan, temperature sensor and controlling fan speed (see column 8 lines 35-61). It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Bassman into the teachings of Chen because Bassman providing system detection from overheating, thereby preventing parts damage from overheating.

Response to Arguments

9. Applicant's arguments filed 05/28/04 have been fully considered but they are not persuasive.

10. In response to the applicant's arguments that Chen does not teach or suggest a server system that includes a plurality of host processor cards and a management card. Based in the specification of the current invention, the applicant disclosed host processor cards are those inserted to the slot 110 (see page 4 lines 10-12). Figure 3 of Chen discloses plurality of Add-on-card are inserted to slots 12. Based on the current invention specification, these Add-on-card is equivalent to plurality of host processor card. Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. > E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily).< In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989). Further, Chen discloses processor card 105 is being equivalent to the management card of the current invention which has been discussed above in the office action.

11. In response to the applicant's arguments that Chen does not teach or suggest LAN switch, LEDs, ports, monitoring LAN communications. These limitations have been discussed in claims 2-3, 6-7, 9 and 12-13 in the office action.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 703-308-5862. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tim Vo', is positioned above the printed name of the examiner.

08/26/04

Tim T. Vo
Primary Examiner
Art Unit 2112